

# DECLARATION OF EMERGENCY

## Department of Health and Hospitals Office of the Secretary Bureau of Health Services Financing

### Professional Services Program—Surgical Services

The Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing has adopted the following emergency rule in the Medical Assistance Program as authorized by R.S. 46:153 and pursuant to Title XIX of the Social Security Act and as directed by the 1996-97 General Appropriation Act, which states: "The Secretary shall implement reductions in the Medicaid program as necessary to control expenditures to the level approved in this schedule. The Secretary is hereby directed to utilize various cost containment measures to accomplish these reductions, including but not limited to pre-certification, pre-admission screening, and utilization review, and other measures as allowed by federal law". This emergency rule is adopted in accordance with the Administrative Procedure Act, R.S. 49:950 et seq. and shall be in effect for the maximum period allowed under the Administrative Procedure Act or until adoption of the rule, whichever occurs first.

The Bureau of Health Services Financing reimburses surgical services under the Professional Services Program but has not previously defined a global surgery period for the reimbursement for these services. The bureau has now determined it is necessary to establish a global surgery period in order to reimburse these services properly. Each CPT surgical procedure code will be assigned to a specific global surgery period. Three global surgery periods consisting the day before and the day of surgery and either zero, 10, or 90 post-operative days will be utilized. Pre- and post-operative visits made during any of these global surgery periods shall be considered to be a part of the surgery fee.

Therefore, the following emergency rule has been adopted to limit payment for pre- and post-operative visits to those exceeding the global surgery periods of zero, 10, or 90 days. This action is necessary to avoid a budget deficit in the medical assistance programs. It is anticipated that implementation of this emergency rule will save approximately \$3,284,288 for state fiscal year 1996-1997.

#### **Emergency Rule**

Effective for dates of service July 10, 1996 and thereafter, The Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing adopts the following provisions regarding the payment of pre- and post-operative inpatient and outpatient visits made during the global surgery period.

1. Each CPT surgical procedure code shall be assigned to one of the global surgery periods.
2. Three different global surgery periods will be utilized. One period shall consist of zero days defined as the day before and the day of surgery only; the second period shall consist of 10 days defined as the day before and the day of surgery and 10 post-operative days; and the third period shall consist of 90 days defined as the day before and the day of surgery and 90 post-operative days.
3. No outpatient or inpatient visits during the global surgery period will be reimbursed unless the diagnosis code for the visit is different from that of the diagnosis code necessitating the surgery.

Interested persons may submit written comments to: Thomas D. Collins, Bureau of Health Services Financing, Box 91030, Baton Rouge, LA 70821-9030. He is responsible for responding to inquiries regarding this emergency rule.

Bobby P. Jindal  
Secretary